

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

SOUTH CAROLINA COASTAL	)	Civ. No. 2:18-cv-3326-RMG
CONSERVATION LEAGUE, et al.,)	
	)	(Consolidated with 2:18-cv-3327-RMG)
Plaintiffs,)	
	)	CONSENT MOTION TO EXTEND TIME
v.	)	FOR FEDERAL DEFENDANTS AND
	)	INTERVENOR-DEFENDANTS TO
WILBUR ROSS, in his official capacity	)	RESPOND TO PLAINTIFF-
as the Secretary of Commerce, et al.,	)	INTERVENOR’S MOTION FOR
	)	PRELIMINARY INJUNCTION (ECF 146),
Defendants.	)	AND FOR PLAINTIFF-INTERVENOR TO
	)	FILE REPLY

Counsel for Intervenor-Plaintiff, State of South Carolina, Federal Defendants, the National Marine Fisheries Service, *et al.*, and Intervenor-Defendants, the International Association for Geophysical Contractors, *et al.*, pursuant to Rule 6.01 of the Local Rules of the District of South Carolina, hereby move this Court for a one-week extension of the March 15, 2019 deadline for Federal Defendants and Intervenor-Defendants to file their response briefs in opposition to Intervenor-Plaintiffs’ Motion for Preliminary Injunction (ECF 146), through and including March 22, 2019. In turn, Plaintiff-Intervenor seeks an extension of the time to file any reply brief in support of their motion from March 29, 2019, to April 5, 2019.

1. Plaintiffs filed a Motion for Preliminary Injunction on March 1, 2019. ECF 146. The Motion seeks to stay the effectiveness of the incidental harassment authorizations issued by the National Marine Fisheries Service to five companies – CGG Services (U.S.) Inc., ION GeoVentures, Spectrum Geo Inc., TGS-NOPEC Geophysical Company, and WesternGeco LLC (“the five companies”) and requests that any seismic testing be enjoined. Three other motions

for preliminary injunction or joinder have been filed seeking substantially the same relief. ECF Nos. 124, 143 & 148.

2. Counsel for Plaintiff-Intervenor, Federal Defendants, and Intervenor-Defendants have met and conferred. Federal Defendants and Intervenor-Defendants seek to extend the time to file their response briefs in opposition to Plaintiffs' Motion by one week, from March 15, 2019, through and including March 22, 2019.

3. In turn, Plaintiff-Intervenor seeks to extend the time to file their reply brief in support of their Motion from March 29, 2019, through and including April 5, 2019. The Plaintiff-Intervenor reserves the right to request earlier filings should it believe that they are necessary due to any action by BOEM. Federal Defendants and Intervenor-Defendants do not object to this request. Based on the foregoing, the undersigned attorneys respectfully request that this Court grant the requested extensions.

4. The parties have not previously requested or received any prior extensions regarding the briefing deadlines associated with Plaintiff- Intervenor's Motion for Preliminary Injunction, although Federal Defendants and Intervenor-Defendants were granted an extension of time to respond to the Plaintiffs' Motion for Preliminary Injunction (ECF No. 124) and the Federal Defendants were granted an extension of the time to respond to the complaint in the *South Carolina Conservation League* case and the complaint in the *City of Beaufort* case, Case No. 18-cv-03327. *See* ECF 115, 121. The requested extensions would not affect any other deadlines.

5. Counsel for the Plaintiff-Intervenor and the Federal Defendants met and conferred by telephone on March 8, 2019, and counsel for all parties to this consent motion further conferred via email correspondence, and all parties agree to the extensions proposed above.

WHEREFORE, the parties request that this Court grant this motion and extend the time for Federal Defendants and Intervenor-Defendants to file their response briefs in opposition to Plaintiff-Intervenor's Motion for Preliminary Injunction through and including March 22, 2019, and for Plaintiff-Intervenor to file their reply brief in support of their Motion through and including April 5, 2019.

Respectfully submitted this 11th day of March, 2019.

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CERTIFICATE OF SERVICE

I hereby certify that on March 11, 2019, I electronically filed the foregoing Consent Motion to Extend Time for Federal Defendants to Respond to Plaintiff-Intervenor's Motion for Preliminary Injunction (ECF 146) and for Plaintiff-Intervenor's to File Reply with the Clerk of Court using the CM/ECF system, which will send electronic notification of such filing to all counsel of record.

/s/ Marissa Piropato

ORDER